

PA-01 Member of Congress Tracking Report - 09/29/19

This is a 100% volunteer effort brought to you by a handful of progressive Democrats and Independents who share a vision of an informed electorate. We want to offer a big thank you to the Pennsylvania Together and Pennsylvania Statewide Indivisible organizations who host our report and help us share it out to the residents of our Commonwealth!

Tracking Congress in the Age of Trump

The lower the number, the more the legislator votes in opposition to the Trump agenda.

Member of Congress	This week's score	Change from last report
Senator Bob Casey (D)	28.7%	-0.5%
Senator Pat Toomey (R)	87.5%	-0.7%
PA-01 Rep. Brian Fitzpatrick (R)	68.5%	-0.5%

Nate Silver's [FiveThirtyEight website](#) assesses the voting records of our MoCs to provide this index, by comparing any bills where President Trump has stated a position, and comparing the vote of the legislator to that opinion. Two votes scored this week were in the Senate, one on a nomination, and the other related to ending President Trump's fake national emergency over wall funding. That same fake emergency/wall funding vote was also scored in the House.

Want to see exactly what votes went into giving your MoC the numbers above? Click on the name of any legislator and you will be brought to their 538 webpage, where all of the positions that went into the index are listed in an easy-to-read format.

Words From Our Founders

"The Governor, Senators, and all Officers of the United States to be liable to impeachment for mal and corrupt conduct, and upon conviction to be removed from office and disqualified for holding any place of trust or profit."

— Alexander Hamilton's notes from the Constitutional Convention, 1787

Whistleblower/Impeachment related Votes

The whistleblower scandal and impeachment process are omnipresent in every media outlet. Accordingly, we are not going to do deep dives into votes that are already so thoroughly explored in media. Instead, we will link to several articles where more info can be found. If, however, a vote on this topic has been glossed over by the media, you will find more info here.

The Senate unanimously supports the release of the whistleblower complaint to Congress

[Senate Action on S. Res. 325](#): "A resolution expressing the sense of the Senate that the whistleblower complaint received on August 12, 2019, by the Inspector General of the Intelligence Community should be transmitted immediately to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives."

- [Business Insider](#)
- [New York Magazine Intelligencer](#)
- [Axios](#)

As this was a unanimous consent process, no actual votes were recorded, but **it had the support of both Casey and Toomey**

The House demands the whistleblower complaint be released

[House vote](#) on [H.Res. 576](#): “Expressing the sense of the House of Representatives with respect to the whistleblower complaint of August 12, 2019, made to the Inspector General of the Intelligence Community.”

- [The Hill](#)
- [Reuters](#)
- [Roll Call](#)

As opposed to the Senate action, this was an actual roll call vote that took place around dinner time on Wednesday, September 25, 2019. The measure passed, 421-0. **Fitzpatrick voted YES.**

The House GOP tries (and fails) to slap at House Speaker Pelosi over impeachment

[House Vote](#) on [H.Res. 590](#): Raising a question of the privileges of the House

Ten minutes before the unanimous vote noted above, House Minority Leader Kevin McCarthy attempted to force action on a catty, nasty resolution designed to embarrass House Speaker Pelosi. It includes [tidbits](#) like this:

Whereas the Speaker's extraordinary decision to move forward with an impeachment inquiry without any debate or vote on such a resolution by the full House undermines the voting privileges afforded to each Member and the constituents they represent; and

Whereas this unprecedented and politically motivated decision by Speaker Pelosi represents an abuse of power and brings discredit to the House of Representatives: Now, therefore, be it

That the House of Representatives disapproves of the actions of the Speaker of the House, Mrs. Pelosi of California, to initiate an impeachment inquiry against the duly elected President of the United States, Donald J. Trump.

Instead of getting to vote on the bill itself, this vote is on a [motion to table](#) - it stops debate, and makes everyone decide whether or not the issue should be continued. Accordingly, a NO vote means an MoC supports the measure, while a YES vote means to stop debate and discard the resolution. The measure was tabled after a 232-193 vote, on pure party lines. **Fitzpatrick votes NO along with all other Republicans.**

Votes of Interest -

The House addresses ICE/CBP oversight and improving the care of migrant detainees

[House Vote](#) on [H.R. 2203](#): Homeland Security Improvement Act

[House Vote](#) on [H.R. 3525](#): U.S. Border Patrol Medical Screening Standards Act

You may remember that just before the Independence Day recess, the Congress [voted](#) to send increased funding to Customs and Border Protection and Immigration and Customs Enforcement. There was an attempt to add in some measures to improve conditions and treatment of detainees, as well as increase oversight. Those measures were stripped out, due to some [interference by the Problem Solvers Caucus](#). The pair of bills that came up this week, in combination with a [humanitarian standards bill](#) that passed the House in July, seek to remedy the missing oversight and improve conditions for migrants detained by our government.

Our fellow [Indivisible activists in NY-16](#) were kind enough to recap these bills for us:

H.R. 2203 – This bill establishes various bodies and policies related to border security. It also limits when the Department of Homeland Security (DHS) may separate a child from a parent or legal guardian. The bill establishes a commission to investigate and make a complete accounting of the handling of migrant families and children at the southern border since January 2017. DHS shall appoint an Ombudsman for Border and Immigration Related Concerns. The bill establishes a committee to advise DHS as to how various programs may impact border communities. DHS shall ensure U.S.

Customs and Border Protection (CBP) officers receive initial and continual education on topics such as interaction with vulnerable populations. DHS shall provide Congress with a plan to require the use of body cameras during border security or immigration enforcement activities. A child may not be removed from a parent or legal guardian at or near a port of entry or within 100 miles of the border except in certain instances, such as when a court determines that such removal is in the child's best interests. DHS shall establish an electronic system to track separated children and the parents and legal guardians of such children. The bill stops the implementation of various rules limiting requests for asylum, and imposes certain rules on the treatment of detained individuals. The bill requires various reports, including a Government Accountability Office report on migrant deaths.

H.R. 3525 – This bill requires U.S. Customs and Border Protection to establish procedures to ensure consistent and efficient medical screenings for all individuals stopped between ports of entry. The screenings shall take place within 12 hours of the initial stop. The bill imposes various requirements for screenings, including documentation of current medical complaints and recordkeeping. The Department of Homeland Security shall research and report to Congress new approaches to improve the screening procedures and recommend any necessary corrective actions, as well as a plan to record the results of the screenings in electronic health records that are interoperable with other DHS systems.

The votes on these two bills differed slightly. The H.R. 2203 vote, to provide additional oversight, was taken on Wednesday, September 25, 2019. That measure passed, 230-194. It received no Republican votes, and 1 Democrat crossed party lines to vote NO as well (Collin Peterson of Minnesota). **Fitzpatrick voted NO.**

H.R. 3525, for improved medical screenings, was voted upon the next day, September 26th. That bill passed 230-184. Two members of each party crossed lines, including **PA-01's Rep. Brian Fitzpatrick, who voted YES.**

The House passes a bill to allow cannabis business to access banking services

[House Vote](#) on [H.R. 1595](#): Secure And Fair Enforcement (SAFE) Banking Act of 2019

The SAFE Banking Act was introduced by Colorado Democrat Rep. Ed Perlmutter. It had a broad base of 206 cosponsors (180D, 26R), including **all 8 of Pennsylvania's Democrats** as well as **PA-09's Rep. Dan Meuser** and **PA-14's Rep. Guy Reschenthaler.**

[Fox News](#) provided a succinct explanation of the situation faced by cannabis business right now, as well as the fix provided by this bill:

The SAFE Banking Act would allow cannabis businesses to access financial services that have long been difficult to find due to their gray-area status — often legal in their individual state but illegal federally. Even cannabis businesses like hemp growers and CBD manufacturers that don't work directly with THC, the intoxicating chemical in marijuana, have struggled to access banking services due to trepidation that still hangs over the industry. Under the bill, marijuana businesses would be able to open accounts, take on loans, accept credit cards and deposit money into banks that now seldom associate with them for fear of repercussions from the federal government.

Those services will be important for a sector that added 64,389 jobs in 2018, according to a report by Leafly and Whitney Economics, and could grow even more as pot laws continue to loosen across the United States.

Some provisions were added to the bill to increase Republican support, and make the bill more palatable to the Senate. [Market Watch](#) reports that "One provision would prevent the return of Operation Choke Point, an Obama-era program that Crapo mentioned at the July hearing and that involved investigating banks for doing business with payday lenders and firearms dealers. Another new provision aims to protect financial firms that serve the hemp industry, which is a force in Kentucky." The latter measure was added to entice Senate Majority Leader Mitch McConnell, who is still not in favor of bringing this measure to the floor of the Senate for a vote.

The vote for this bill came on Wednesday, September 25, 2019. It was raised under a suspension of the rules, meaning it required a $\frac{2}{3}$ supermajority to pass, and it did so easily, 321-103. One Democrats voted NO, and the GOP caucus was nearly split in half, but a thin majority of Republicans voted YES. **Fitzpatrick voted YES.**

The House and Senate pass a resolution about Trump's fake emergency

[Senate Vote](#) on [S.J.Res. 54](#): A joint resolution relating to a national emergency declared by the President

[House Vote](#) on [S.J.Res. 54](#)

If this feels like a flashback to February, you are not wrong. This is the same situation, wherein President Trump used provisions of the 1976 National Emergencies Act to grab funding lawfully appropriated by Congress for other purposes and use them for his border wall. If you'd like to read the deals of how the 1976 National Emergencies Act works, MoCTrack devoted a past [Learning about Legislation explainer piece](#) to that topic. The provisions of the Act allow for Congress to bring it up for a review vote every six months. Last time around, both the [House](#) and [Senate](#) passed the [Joint Resolution](#) to end the emergency by majorities, but when President Trump vetoed the resolution, there were not enough votes to overturn the veto.

This time around, the Senate voted upon the resolution first, and it passed, 54-41 on Wednesday, September 25, 2019. All of the Democrats were joined by 11 Republicans, including Sen. Toomey. While that is an impressive showing, one fewer GOP Senator joined the YES group (Florida Sen. Marco Rubio, who did not place a vote this time). **Casey voted YES and Toomey voted YES.**

Then the measure moved to the House on Friday, September 27, 2019. It passed 236-174. In February there were 13 Republicans who voted YES, this time there were 11 (along with Justin Amash, who is now an Independent). Two of the GOP MoCs who voted YES in February did not place votes this time (the retiring Will Hurd of Texas, and Wisconsin's Mike Gallagher). One GOP MoC who did not place a vote in February joined with the Democrats in voting YES this time - John Katko of New York. **Fitzpatrick voted YES.** Neither House has enough votes to overcome a presidential veto.

The Senate passes a continuing resolution to avoid a shutdown

[Senate Vote](#) on [H.R. 4378](#): Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 Last week we recapped a [vote in the House](#) on a [continuing resolution](#) to avoid another government shutdown. President Trump's program to pay farmers being hurt by his trade war with China was at the center of the inability to work out a deal in time to pass a normal appropriations bill making it necessary to kick the can down the road for six weeks. Funding will run out by October 1st.

This week was the Senate's turn to pass the continuing resolution. The measure came to the floor on Thursday, September 26, 2019. It passed the Senate 81-16. All 16 NO votes came from Republicans. **Casey voted YES and Toomey voted NO.**

Normally Senator Toomey issues statements when he votes no on spending bills, though he did not do so this time. But, to get a flavor of his normal explanation for such votes, here's an excerpt from Senator Toomey's August [statement](#): "Our country does not have a revenue problem. We have a spending problem. And until Congress is willing to make tough spending choices, the national debt will continue to rise and trillion dollar deficits will be the norm."

Senate Bureaucratic Confirmation #1

[Senate Vote](#) on Eugene Scalia to be Secretary of Labor

In the aftermath of the Epstein scandal, which forced the resignation of former Secretary of Labor, Alexander Acosta, the Trump Administration nominated as his replacement Eugene Scalia, son of the late Supreme Court Justice.

A [Vox](#) piece about Mr. Scalia noted that he is “a corporate lawyer who’s spent his career fighting against workers...on behalf of America’s largest businesses, including Wall Street banks, Walmart, and SeaWorld.” [Vox](#) added that “Scalia has a gift for unraveling consumer and worker protections.” [Rolling Stone](#) went to the heart of the matter in their article titled “Trump’s New Labor Secretary Is Pretty Skilled at Hurting Laborers.” That piece discusses several of the cases that Scalia was involved in, including when he “helped UPS fight a lawsuit by its workers who had paid for their protective workplace gear, and defended SeaWorld from allegations that it violated federal worker-safety regulations after one of its trainers was killed by an orca.”

The final word, though, belongs to the powerful Labor organization, the AFL-CIO, who implored senators to vote against this nomination. They said, in that [letter](#):

As demonstrated by his entire career, Eugene Scalia is the antithesis of what is required from a Secretary of Labor and what working people deserve to expect from the Department of Labor. Corporations and the rich already have abundant representation in the Trump administration. Working people cannot afford to have yet another corporate defender representing them at the Labor Department.

Mr. Scalia’s confirmation vote was taken on Thursday, September 26, 2019. He was confirmed 53-44, in a pure party line vote. **Casey voted NO** and **Toomey voted YES**.

Senate Bureaucratic Confirmation #2

[Senate Vote](#) on Daniel Habib Jorjani to be Solicitor of the Department of the Interior

The Solicitor for any of our nation’s bureaucratic entity provides counsel, advice and representation to the department’s leadership team. In the case of the Department of the Interior, much of that advice will revolve around land use and the extractive industries (mining, energy exploitation). Mr. Jorjani’s resume shows that he is well versed in that field.

The nominee has an extensive resume in both the public and private sector. According to [Department of Influence](#), a website and organization devoted to tracking the revolving door between industry and government, at the start of his career, Mr. Jorjani was based in St. Petersburg, Russia, where he provided Foreign Corruption Practices Act (FCPA) guidance for U.S.-based clients in the energy sector. He has much experience in the Department of the Interior, dating back to the George W. Bush administration. “From 2001 to 2005 Jorjani was the Counselor and Chief of Staff to the Assistant Secretary for Policy, Management, and Budget, and from 2005 to 2009 he was the Counselor to the Deputy Secretary of the Department of the Interior.’

By far the most significant work he has done, however, is with the Koch brothers. As one of their highest paid employees, he was general counsel to a [group](#) that:

...spearheaded a Charles and David Koch energy initiative that aimed to drive the national narrative around energy and the tremendous benefits of reliable affordable energy for all Americans. The energy initiative was created in response to the commitment by liberal billionaire Tom Steyer to steer \$100 million into ads in several states to make climate change a priority issue in the elections; numerous setbacks at the state level where Koch network backed advocacy groups have been fighting against renewable energy standards; and the new EPA regulations to curb carbon dioxide emissions from power plants.”

In a vote taken on Tuesday, September 24, 2019, Mr. Jorjani was confirmed 51-43. He received no support from Democrats, and they were joined in voting NO by GOP Sen. Susan Collins of Maine. **Casey voted NO** and **Toomey voted YES**.

Our Pennsylvania MoCs speak about Impeachment and the Ukraine Whistleblower Complaint

It is important to see how all of our MoCs are aligning themselves and what arguments they are using to support their decisions. But making this more interesting, early on September 25, 2019 the White House mistakenly sent out [talking points](#) not just to the Republican caucus, but also to the Democrats. The [New York Times](#) has more on that story of administrative incompetence. It is worth reviewing that attempt at spin, and gauge how much our GOP MoCs conformed to the White House's direction. In case you don't want to read all of those statements, we've summarized the GOP MOC usage of White House approved talking points:

	No quid pro quo	Divisive Dems	Cannot accept Trump won in 2016	Name-drop Biden	Socialists!!!	Entirely proper call	Presidential harassment by Dems	Second hand information
● Senator Pat Toomey	✓			✓				
● PA-01's Brian Fitzpatrick		✓						
● PA-09's Dan Meuser	✓	✓				✓	✓	
● PA-10's Scott Perry		✓					✓	✓
● PA-11's Lloyd Smucker		✓					✓	
● PA-12's Fred Keller		✓	✓		✓		✓	
● PA-13's John Joyce		✓					✓	
● PA-14's Guy Reschenthaler		✓	✓				✓	✓
● PA-15's Glenn Thompson			✓		✓			
● PA-16's Mike Kelly			✓		✓			

□ Senator Bob Casey, from his [official website](#), 09/25/19:

The senator's statement is VERY long, as well as full of footnotes and historical references. Below is an excerpt from it

"The recent revelation that President Trump pressured a foreign government to investigate his political opponents is a textbook case of abuse of power which demands action. In order to hold President Trump fully accountable, I support a formal impeachment inquiry in the House of Representatives. My concerns about the President's conduct have grown over months, particularly as I thoroughly reviewed Special Counsel Mueller's report. President Trump's most recent actions with regard to Ukraine have created new urgency to take action. Given this clear abuse of power, I believe I have an obligation to outline the conduct, both during the Russian investigation and the Ukraine matter, that is within the well-established definition of the "high crimes and misdemeanors" that the Senate would consider in an impeachment trial...

...Congress must confront the facts before us. A failure to do so would be an abrogation of our most basic responsibilities. In order to hold President Trump accountable, I agree with Speaker Pelosi's call to open a formal impeachment inquiry and begin impeachment proceedings against President Trump. If the House votes to impeach the President, I would be required as a U.S. Senator to vote in a Senate trial that would determine whether the President should be convicted and removed from office. Should such a situation arise, I will keep an open mind. However, at this time, I cannot ignore the public evidence which has confronted all of us.

As our Founders debated the merits of impeachment during the during the 1787 Constitutional Convention in Philadelphia, Elbridge Gerry rose and offered a powerful justification for including such a provision in the final Constitution: “A good magistrate will not fear [impeachments]. A bad one ought to be kept in fear of them.” In the face of such blatant abuse of power and self-interested violations of the public trust—high crimes and misdemeanors—Congress must act.”

□ **Senator Pat Toomey, from his official website, [09/24/19](#) and [09/25/19](#):**

Senator Toomey issued two separate statements.

09/24/19 - "As I have said repeatedly, a candidate for federal office seeking the assistance of a foreign government would be inappropriate. Today will shed more light on what transpired as President Trump has decided to release an un-redacted transcript of his call with the Ukrainian president. Further, the Senate unanimously approved yesterday a resolution calling for the full whistleblower complaint to be given to the House and Senate Intelligence Committees. The administration should comply with this request."

09/25/19 - "The memorandum released by the White House today reveals no quid pro quo. While the conversation reported in the memorandum relating to alleged Ukrainian corruption and Vice President Biden's son was inappropriate, it does not rise to the level of an impeachable offense."

□ **PA-01's Rep. Brian Fitzpatrick, from [The Doylestown Intelligencer](#), 09/26/19**

None of the Congressman's official social media presences acknowledge the existence of the impeachment process. He did, however, do an interview with a friendly local media outlet.

"The Congressman believes that law enforcement matters must always remain separate and distinct from political matters at all times. Whether or not law enforcement matters and investigations should be initiated or closed are decisions that should be made by law enforcement and law enforcement alone, not by politicians," Fitzpatrick's office wrote. "The Congressman believes that Speaker (Nancy) Pelosi's response, however, to move forward with impeachment proceedings is ill-advised and will only further divide this Congress and our nation, and the Congressman is opposed to her decision."

Casey in the News

Courtesy of contributor Linda Houk

"I'm pleased that the CDC has decided to invest in studying the impact of PFAS on health in communities across the country, including in southeastern Pennsylvania... I was proud to advocate for the CDC study and its funding and will continue to fight to rid our communities of this contamination. While there is still more work to do, this is a positive step as we work to ensure all Pennsylvanians have clean drinking water."

—from an article in [the Reporter](#) titled '[\\$1M announced for PFAS contamination testing](#)'

"The 2017 GOP tax bill is just another tale of how the rich get richer. This law was sold to American workers as a 'middle-class miracle,' and yet it was actually a huge giveaway to large corporations who used their tax cut to engage in unprecedented corporate stock buybacks... I am happy to join Senator Booker in our continued effort to put America's workers first. I hope my Republican colleagues will join us."

— from an article in [Financial Regulation News](#) titled '[Congress introduces bill to give "worker dividend" in stock buybacks](#)'

"That is a serious, grave circumstance for a president to ask for any favor that has a political objective. If there is not a law against this, then I'd say damn it, we should pass a law to make it illegal... This isn't obstructive conduct that relates to the breaking in of a headquarters in the 1970s. ... This isn't

obstructive conduct as we saw in the Clinton years. This is conduct related to a foreign adversary interfering with an American election,”

—from an article in [Trib Live](#) titled ‘Sen. Bob Casey labels Trump call ‘a textbook abuse of power’

“Congress must confront the facts before us. A failure to do so would be an abrogation of our most basic responsibilities. In order to hold President Trump accountable, I agree with Speaker Pelosi’s call to open a formal impeachment inquiry and begin impeachment proceedings against President Trump”

—from an article in [WFMZ](#) titled ‘Local lawmakers react to Trump impeachment inquiry’

“The president has demonstrated in real time that he’s willing to abuse his power to advance his political interests. There is a textbook case of abuse of power and the only way to stop it is to take action... It is clear to me that the president is willing to abuse his power with impunity.”

“He doesn’t seem to have gotten the message from the Mueller report that his actions should be in the national interests, not in his political interests... He’s apparently ready, willing and able to continually abuse his power to advance his political interests.”

—from an article in the [Bradford Era](#) titled ‘Pa. lawmakers split on impeachment decision’

Fitzpatrick in the News

“Individuals with disabilities should not face an onerous waiting period for the Social Security benefits they earned. Improving access to health care is vitally important, and I am proud to support this bipartisan legislation to give Americans the care they need in a proper time frame.”

— from an article in the [Philadelphia Public Record](#) titled “[Casey, Fitzpatrick Move on Disability](#)”

“There are few things more heart wrenching than childhood cancer. No child should have to suffer through the pain of cancer, nor should any parent have to watch their child struggle to survive. I am proud to introduce this legislation with Representatives Gottheimer, Stefanik, Kelly, Boyle, and Murphy as we present a united and bipartisan front to combat pediatric cancer.”

— from the press release section of [Insider NJ](#), in an item titled “[Fitzpatrick, Gottheimer, Stefanik, Kelly, Boyle, Murphy Introduce Fairness to Kids with Cancer Act](#)”

“Eighty-two workers out of work for two weeks and it’s also a financial impact on GM...its craziness if they just came to the table the workers demands is not unreasonable.”

— from an article on the [6ABC website](#) titled “[General Motors workers rally 2 weeks into strike](#)”

The following are quotes from Rep. Fitzpatrick’s office spokesperson, via the [Doylestown Intelligencer/Bucks County Courier Times](#) article titled “[U.S. Rep. Brian Fitzpatrick was an FBI agent in Ukraine. Here’s what he said about the Trump-Ukraine controversy.](#)” Kyle Bagenstose, the author of the piece, was at pains to note that these answers were provided by email from the congressman’s office.

- “The Congressman was assigned to Ukraine on detail with the FBI’s International Corruption Unit for several months in 2015. His main responsibilities were to help establish Ukraine’s National Anti-Corruption Bureau (NABU).”
- “The Congressman’s personal experience regarding former PG Viktor Shokin was that (he) was not cooperative with the FBI’s anti-corruption efforts in Ukraine, and that he posed a hindrance regarding numerous investigative matters.”
- “The Congressman believes that law enforcement matters must always remain separate and distinct from political matters at all times. Whether or not law enforcement matters and

investigations should be initiated or closed are decisions that should be made by law enforcement and law enforcement alone, not by politicians. The Congressman believes that Speaker (Nancy) Pelosi's response, however, to move forward with impeachment proceedings is ill-advised and will only further divide this Congress and our nation, and the Congressman is opposed to her decision."

A response to Rep. Fitzpatrick's statements about impeachment

This thread comes courtesy of PA-01 Twitter activist @jgcOCANADA. Please read her thread in full [on Twitter](#) or via [Thread reader](#), with all of its attached links and images. The content below has been modified slightly to remove hashtags and abbreviations; and replaces Twitter handles with names.

1/ We need to contrast the #impeachment response between *centrist* PA Congressmen Conor Lamb (Democrat of PA-17) and Brian Fitzpatrick (Republican of PA-01), [here](#) together recently burnishing their independent, bipartisan cred during #OnePA district swaps.

2/ Both are lawyers (Rep. Lamb was a former Assistant US Attorney and Rep. Fitzpatrick was a former Special Assistant US Attorney), highly capable of evaluating the emerging evidence in the Trump Ukraine Scandal.

3/ But Rep. Fitzpatrick has an additional unique area of expertise in his background which should bring his opinion into sharp focus: he was in [Kyiv in 2015](#)

4/ Being a former FBI national supervisor for their Political Corruption Unit is a big part of Rep. Fitzpatrick's biography, and is the reason why he was tasked with assisting Ukraine's govt anti-corruption work in 2015-- he could speak loudly about what he saw 1st person there in Kyiv.

5/ But he isn't. □ This could give him extra impetus to scrutinize the necessity for Impeachment Hearings, but it isn't.

6/ The reporter for The Doylestown Intelligencer and Bucks County Courier Times could not get direct quotes from Rep. Fitzpatrick on this astonishing first hand knowledge that the Congressman had as an observer and player in Kyiv on US government service. It only came from his staff, by email.

7/ The reporter also found, independently, another person who was there with Rep. Fitzpatrick in Kyiv 2015 to corroborate what they observed, and to fill in some of the blanks left open by the Congressman and his staff.

8/ Congressman Fitzpatrick is a very reluctant witness to what he saw in Kyiv in 2015; there is nothing yet on his twitter page regarding this major local reporting, indicating President Trump and his personal lawyer Rudolph Giuliani are manufacturing lies concerning events in Ukraine.

9/ And unlike with Congressmen Conor Lamb; for Brian Fitzpatrick somehow there is still not a reason or enough evidence to pursue impeachment.

Toomey in the News

Courtesy of contributor Elayne Baker

"I'm hoping that these things can be compartmentalized and that we can continue to pursue policy that I've been advocating. But I acknowledge that a lot of clamoring for impeachment is not helpful. It makes it more difficult."

— from an article in the [Free Beacon](#) titled "[Impeachment Inquiry Stalls Gun Control Talks, Senate Staffers Say](#)"

"The single biggest challenge that Pennsylvania employers face is finding skilled workers. One of the biggest problems for a lot of young people is graduating from college with a mountain of debt and not necessarily having the optimal skill set for the jobs out there."

— from an article in the *Citizens Voice* titled "[Toomey explores workforce training issues during tour of NEPA school](#)"

"I think sometimes corrections officers are the forgotten men and women of law enforcement... Well there's some people that just don't think the death penalty should ever be imposed under any circumstances."

— some disjointed statements from an article about a bill Sen. Toomey is promoting related to the death penalty, from an article on the *Fox 56* website titled "[Senator Pat Toomey pushing law in memory of slain corrections officer](#)"

Learning about Legislation - "Hotlining" a motion

Many people were surprised earlier this week, when Senate Majority Leader Mitch McConnell acceded to Senate Minority Leader Chuck Schumer's demand to bring a resolution related to the whistleblower complaint to the floor of the Senate. The Senate typically moves so slowly, it was almost shocking to see how quickly a measure could move through when all were in agreement. The process used to expedite the resolution is referred to informally as "hotlining." Technically, the Senate performed some complex negotiations to ensure that all Senators would agree to the resolution, and that it would be passed by [unanimous consent](#).

The Congressional Research Service white paper titled "[The Legislative Process on the Senate Floor: An Introduction](#)" describes the process of hotlining in this manner:

Just as the right of extended debate encourages Senate committee and party leaders to bring up bills for consideration by unanimous consent, the right to debate combined with the right to offer non-germane amendments encourages the same leaders to seek **unanimous consent agreements** limiting or foreclosing the exercise of these rights while a bill is being considered. Without such an agreement (or in the absence of a successful cloture process), the bill could be debated for as long as Senators wish—as could each amendment offered, whether germane or not, unless the Senate votes to table it. These are the essential conditions under which the Senate considers a bill if it adheres to its standing rules...

...It must be emphasized, however, that such agreements are unanimous consent agreements. They cannot be imposed on the Senate by any vote of the Senate; they require the concurrence or acquiescence of each and every Senator.

Negotiating these complex unanimous consent agreements can be a difficult and time-consuming process, the responsibility for which falls primarily on the majority and minority leaders and the leaders of the committee with jurisdiction over the bill at issue. They consult interested Senators, but it would be impractical to consult every Senator about every bill scheduled for floor action. For this reason, individual Senators and their staffs take the initiative to protect their own interests by advising the leaders of their preferences and intentions. Negotiations sometimes take place on the floor and on the public record, but at least the preliminary discussions and consultations usually occur in meetings during quorum calls or off the floor. (The negotiation process may also be facilitated by use of the clearance process [or "**hotline**"], an informal communication mechanism by which each party's leadership gauges the preferences of its conference members.)

It was illuminating to see that the Senate was capable of setting aside partisan bickering to quickly assert their Article I powers.

Call to Action - Make your phone calls!

Tell all three MoCs that you support the impeachment inquiry

1. Call **Senator Casey** and thank him for coming out in support of the impeachment inquiry.
2. Call **Senator Toomey** and tell him that you read his inadequate statement that quoted the first sentence of the White House's talking points. In this situation, the health of our nation requires that he put his oath of office above fealty to his party.
3. Call **Rep. Fitzpatrick** and remind him of his oath to protect the Constitution and that you demand they support impeachment now. Remind him that if Congress does nothing, then our Constitution means nothing. Our democracy will mean nothing.

This report brought to you by the PA-08 MoCTrack team...

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We are seeking additional assistance. Our Congresspeople are always busy and there is always more for us to cover — tasks big and small to fit any level of time commitment or experience. Can you help us out? Please email KierstynPZ@gmail.com and put "MoCTrack Help" in the subject. Thanks!